



LEGISLATIVE FISCAL OFFICE

Fiscal Note

Fiscal Note On: **HB 225** HLS 09RS 457
Bill Text Version: **ENROLLED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: June 24, 2009	5:55 PM	Author: LOPINTO
Dept./Agy.: Corrections		
Subject: Sentencing		Analyst: Kristy F. Gary

CRIMINAL/SENTENCING

EN SEE FISC NOTE GF EX See Note

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Amends provisions authorizing courts to sentence a defendant to home incarceration

The proposed legislation amends current law to clarify the conditions under which a defendant may be sentenced to home incarceration and allows for this sentence to be in lieu of, or in addition to, a term of imprisonment. Proposed law amends the maximum sentence for home incarceration from two years to four years.

EXPENDITURES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

State general fund expenditures may be reduced by an indeterminable amount due to the proposed legislation. The legislation merely gives an alternative method for inmates to be recommended for sentencing to home incarceration. In the event an inmate is sentenced to home incarceration, there will be a cost savings to the state. The cost to incarcerate a state inmate in a local facility is currently \$24.39 per day or \$8,902 per year. The cost for home incarceration is \$2.51 per day or \$916 per year. Therefore, the cost differential is \$21.88 per day or \$7,986 per year per offender.

According to the Department of Public Safety and Corrections, there are currently 25 offenders sentence to home incarceration with an average sentence of 429 days.

Note: The information above assumes that the new term of home incarceration and/or imprisonment is less than the current term of home incarceration or imprisonment. Savings could be offset if the proposed law results in more offenders receiving both terms of imprisonment and home incarceration.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

☐ 13.5.1 >= \$500,000 Annual Fiscal Cost

☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House

☐ 6.8(F) >= \$500,000 Annual Fiscal Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse

LFO Staff Director